

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

KEVIN C. BYRD,

Plaintiff,

V.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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) CIVIL ACTION NO. 2:08-CV-00067-SRW

DEFENDANT'S MOTION FOR EXTENSION

COMES NOW the Commissioner of Social Security, by Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully requests an extension of time within which to file his Brief:

1. In support of this Motion, the Commissioner advises the Court that the Office of the General Counsel for the Social Security Administration in Kansas City, which is responsible for preparing the briefs in these matters, has been diligently attempting to keep up with their various Social Security obligations. These obligations include preparing District Court briefs for eleven judicial districts and appellate briefs for ten districts in five circuits as well as handling discrimination complaints by employees and Social Security applicants, personnel actions for the Merit Systems Protection Board, bankruptcy matters, state and federal court subpoenas, federal tort claims act cases, disability class actions and various formal and informal legal advice. The attorneys at the Social Security Administration, Office of General Counsel in Kansas City are diligently attempting to cope with the workload that they face.

2. Defendant's Brief is due to the Court on July 14, 2008.

MOTION GRANTED

THIS 5th DAY OF August, 20 68

UNITED STATES MAGISTRATE JUDGE